UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:13-cr-00043-MOC

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THIS MATTER is before the court on defendant's Motion to Suppress Tangible Evidence and Statements and Leave to Late File. After hearing and before supplemental briefing was complete, counsel for defendant informed the court that defendant had changed his plea and that such straight-up plea had been accepted by the magistrate judge, thereby mooting such motion. Having considered defendant's motion and reviewed the pleadings, and it appearing that such plea has been accepted, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion to Suppress Tangible Evidence and Statements and Leave to Late File (#14) is **DENIED WITHOUT PREJUDICE** as **MOOT**.

Signed: August 21, 2013

Max O. Cogburn Jr. United States District Judge